

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Assistant County Administrator

DATE: March 8, 2010

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. Project # 200920

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

- 1. Adjustment and Appeals Board
- 2. Library Board
- 3. NRV Economic Development Alliance
- 4. Parks & Recreation Commission
- 5. Transportation Safety Commission

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PUBLIC HEARING

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the Current Section of the Roanoke Times on February 21 and February 28, 2010:

Proposed vacation and relocation of a portion of the twenty-foot Huckleberry Trail Easement that is located on the New River Mall Property.

Proposed vacation and relocation of a portion of the twenty-foot Huckleberry Trail Easement that is located on the New River Mall Property.

The proposed vacation and relocation of a portion of the Huckleberry Trail on the New River Mall Property is shown more particularly on the plat entitled "PLAT OF SURVEY OF A NEW 20 FOOT AND VARIABLE WIDTH TRAIL EASEMENT OF THE "HUCKLEBERRY TRAIL" ACROSS A PORTION OF THE LANDS OF PR FINANCING LIMITED PARTNERSHIP BEING TAX PARCEL 435-(A)-41 TOWN OF CHRISTIANBURG RINER MAGISTERIAL DISTRICT MONTGOMERY COUNTY, VIRGINIA".

See TAB A for a copy of the Plat.

VIII. PUBLIC ADDRESS

IX. INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. FY 2010-2011 Budget Presentation

X. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

XI. ADDENDUM

XII. CONSENT AGENDA

XIII. NEW BUSINESS

**A. SUBJECT: RESOLUTION ESTABLISHING AN
ADVERTISED REAL ESTATE TAX RATE
AND PROPOSED FY 2010-2011 BUDGET**

**R-FY-10-
RESOLUTION ESTABLISHING AN
ADVERTISED REAL ESTATE TAX RATE
AND PROPOSED FY 2010-2011 BUDGET**

BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the County Administrator to advertise a proposed Real Estate tax rate of 75 cents per \$100 of assessed valuation of real estate based on 100% of fair market value and to set a public hearing for March 29, 2010, at 7:00 p.m., or as soon thereafter, in the Montgomery County Government Center located at 755 Roanoke Street Christiansburg, Virginia in order to hear citizen comments on the proposed real estate tax rate.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia, hereby authorizes the County Administrator to advertise the proposed Fiscal Year 2010-2011 Budget in the amount of \$154,055,480 and to set a public hearing for Monday March 29, 2010, at 7:30 p.m., or as soon thereafter, in the Montgomery County Government Center located at 755 Roanoke Street Christiansburg, Virginia, in order to hear citizen comments on the proposed Budget.

ISSUE/PURPOSE: Advertise the proposed real estate tax rate and proposed FY 2010-2011 Budget. The proposed advertised rate represents an increase of four cents.

**B. SUBJECT: SECOND AMENDMENT TO THE NEW
RIVER VALLEY COMMERCE PARK
PROJECT PARTICIPATION AGREEMENT**

**R-FY-10-
RESOLUTION APPROVING THE SECOND AMENDMENT
TO THE NEW RIVER VALLEY COMMERCE PARK PROJECT
PARTICIPATION AGREEMENT**

WHEREAS, The County of Montgomery, Virginia, is a member of Virginia's First Regional Industrial Facility Authority ("the Authority"); and

WHEREAS, Pursuant to the Ordinance creating the Authority, the member localities of the Authority entered into an agreement providing for the rights and obligations of member localities including the ability of member localities to enter into one or more participation agreements for the development of one or more specific industrial facility projects; and

WHEREAS, The New River Valley Commerce Park Project Participation Agreement was entered into on October 14, 1999, by the County of Montgomery with certain other member localities of the Authority to develop the New River Valley Commerce Park Project; and

WHEREAS, The New River Valley Commerce Park Participation Agreement was amended on August 8, 2001, allowing the County of Wythe to sell its shares and withdraw from the Participation Agreement; and

WHEREAS, The member localities who entered into the New River Valley Commerce Park Participation Agreement wish to amend the Participation Agreement a second time by (1) expanding the scope of the Commerce Park Project; (2) amending the required voting approval for the acquisition or disposition of any real or personal property; (3) amending the Finance Plan; and (4) amending the Revenue Sharing Provision all more particularly shown on the attached proposed amendment entitled "Second Amendment to the New River Valley Commerce Park Project Participation Agreement".

NOW, THEREFORE BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the attached amendment entitled "Second Amendment to the New River Valley Commerce Park Project Participation Agreement" and hereby authorizes Annette Perkins, Chair, to execute the said Second Amendment to the New River Valley Commerce Park Participation Agreement on behalf of the County of Montgomery, Virginia.

ISSUE/PURPOSE: Resolution to approve the second amendment to the New River Valley Commerce Park Project Participation Agreement.

JUSTIFICATION: Virginia's First Regional Industrial Facility Authority is requesting each of the eleven members of the New River Valley Commerce Park Participation Committee to adopt the second amendment to the Commerce Park Participation Agreement. The purpose of the amendment is to update the agreement to reflect the current status of the Commerce Park and note future planning goals. The scope is an update from the original scope adopted in 1999. See TAB F for a copy of a letter from Virginia's First Regional Industrial Facility Authority. TAB F also includes a copy of the Second Amendment to the New River Valley Commerce Park Project Participation Agreement.

**C. SUBJECT: RESOLUTION APPROVING A
MEMORANDUM OF UNDERSTANDING**

**R-FY-10-
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE COUNTY OF MONTGOMERY AND
THE MONTGOMERY COUNTY SHERIFF'S OFFICE AND
THE BLACKSBURG POLICE DEPARTMENT**

WHEREAS, In August 2007, The Montgomery County Sheriff's Office and the Town of Blacksburg was awarded a Justice Assistance Grant (JAG) in the amount of \$10,295 and Montgomery County agreed to act as fiscal agent for the purpose of funding purchases of detection and evidence collection equipment for each department; and

WHEREAS, Montgomery County would pass through the monies to each agency in equal sums for a Justice Assistance Grant to support the detection and prevention of criminal activity through our local law enforcement community; and

WHEREAS, As a condition of receiving the Grant, the County of Montgomery, the Sheriff's Office and the Town of Blacksburg are required to enter into a Memorandum of Understanding (MOU) explaining the responsibilities for the management, reporting, services, compliance and audit of the grant.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby agrees to enter into a Memorandum of Understanding between the County of Montgomery, the Montgomery County Sheriff's Office, and the Blacksburg Police Department for the administration of the Justice Assistance Grant.

BE IT FURTHER RESOLVED, That the Board of Supervisors hereby authorizes F. Craig Meadows, County Administrator, to execute the Memorandum of Understanding on behalf of the County of Montgomery, Virginia.

ISSUE/PURPOSE: Approve an MOU between the County, the Sheriff's Office, and the Blacksburg Police Department and authorize the County Administrator to sign on behalf of the Board of Supervisors.

JUSTIFICATION: The Department of Justice, Bureau of Justice Assistance provided grant funds for prevention and crime control. The Montgomery County Sheriff's Office and the Town of Blacksburg Police Department were awarded grant funding in the amount of \$10,295. The Department of Justice requires an MOU between the grant recipients as one of the conditions for reimbursement of funds. Montgomery County agreed to act as fiscal agent.

The Sheriff's Office used their funds to purchase surveillance equipment, digital cameras, GPS units and other crime control equipment. The Blacksburg Police Department used their funds to purchase surveillance equipment, digital cameras, GPS units and other crime control equipment.

See TAB G for a copy of the Memorandum of Understanding.

**D. SUBJECT: RESOLUTION OF APPRECIATION
JUDGE RAY WILSON GRUBBS**

**R-FY-10-
RESOLUTION OF APPRECIATION
JUDGE RAY WILSON GRUBBS**

WHEREAS, Ray Wilson Grubbs is a lifelong resident of Montgomery County; and

WHEREAS, Ray Wilson Grubbs was President of his Sophomore, Junior, and Senior classes at Christiansburg High School where he graduated in 1961; and

WHEREAS, Ray Wilson Grubbs graduated from Hampden Sydney College in 1965 with a B.S. Major, and graduated from the Cumberland School of Law at Samford University in 1969; and

WHEREAS, Ray Wilson Grubbs was admitted to the practice of law in Virginia in 1970 and returned to Montgomery County and joined the practice of Kenneth I. Devore; and

WHEREAS, In 1988 the General Assembly of Virginia appointed him to the General District Court Bench of the Twenty-Seventh Judicial District; and

WHEREAS, In 1994 the General Assembly of Virginia appointed him to the Circuit Court Bench of the Twenty-Seventh Judicial Circuit and reappointed him in 2002; and

WHEREAS, Ray Wilson Grubbs has served as a Chief Judge of the Circuit and as a past member of the Executive Committee of the Judicial Conference of Virginia; and

WHEREAS, Ray Wilson Grubbs initiated the construction of a new courthouse designed to meet the needs of Montgomery County citizens in the 21st century; and

WHEREAS, Ray Wilson Grubbs' unquestioned integrity, strong leadership, compassion, and dedicated service has had a lasting impact on the lives of the citizens of the New River Valley.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to the Honorable Ray Wilson Grubbs for his many years of service, leading by example

and earning the deep respect and gratitude of the citizens of Montgomery County, and extends to him sincere best wishes for a long and happy retirement.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to the ***Honorable Ray Wilson Grubbs*** as a testimonial of the high esteem and appreciation in which he is regarded by the Board of Supervisors and that a copy be a part of the official minutes of Montgomery County.

ISSUE/PURPOSE: Resolution of Appreciation to Judge Ray Wilson Grubbs, who retired at the end of February 2010.

E. SUBJECT: **PROCLAMATION -TAKE BACK THE NIGHT RALLY AND MARCH**

**R-FY-10
PROCLAMATION
TAKE BACK THE NIGHT
RALLY AND MARCH**

WHEREAS, The first ***Take Back the Night*** event was held in Germany in 1973 in response to a series of sexual assaults, rapes, and murders; and

WHEREAS, Five years later in the United States, a ***Take Back the Night*** march was held in San Francisco where over 5,000 women from 30 states participated; and

WHEREAS, Since then, marches have been held throughout the U.S., Canada, Latin America, India, and Europe; and

WHEREAS, ***Take Back the Night*** marches have been held in Richmond and Charlottesville, and at Hollins University, Radford University, Roanoke College, and Virginia Tech; and

WHEREAS, Marchers have called attention to violence against women—sexual harassment, misogyny, rape, and murder; this violence affects both individuals in the community and the community as a whole; and

WHEREAS, The 21st annual ***Take Back the Night*** Rally and March will be held Thursday, March 25, 2010 beginning at 7:00 p.m. on the Drillfield in front of the chapel at Virginia Tech to bring our community together to protest violence against women and to promote awareness of attitudes, beliefs, and behaviors which perpetuate this violence.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia supports the 21st annual ***Take Back the Night*** event which is part of Women's Month 2010.

ISSUE/PURPOSE: Proclamation supporting the 21st annual Take Back the Night event.

XIV. COUNTY ATTORNEY'S REPORT

XV. COUNTY ADMINISTRATOR'S REPORT

XVI. BOARD MEMBERS' REPORT

1. Supervisor Brown
2. Supervisor Marrs
3. Supervisor Biggs
4. Supervisor Politis
5. Supervisor Muffo
6. Supervisor Creed
7. Supervisor Perkins

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Adjourned Meeting
Monday, March 22, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

FY 2010-2011 Budget Public Hearing
Monday, March 29, 2010
7:00 p.m.

Regular Meeting
Monday, April 12, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Adjourned Meeting
Monday, April 26, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda